

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
Case No. 1:15-cv-00109-MR**

SANDRA M. PETERS, on behalf of
herself and all others similarly
situated,

Plaintiff,

v.

AETNA INC., AETNA LIFE
INSURANCE COMPANY, and
OPTUMHEALTH CARE SOLUTIONS,
INC.,

Defendants.

**JOINT STATUS UPDATE
REGARDING SERVICE OF CLASS
NOTICE**

Pursuant to the Court’s May 7, 2024 Pretrial Order and Case Management Plan, Plaintiff Sandra Peters (“Plaintiff”) and Defendants Aetna Inc., Aetna Life Insurance Company, and OptumHealth Care Solutions (collectively “Defendants”) write jointly regarding the June 21, 2024 deadline for service of class notice to update the Court on the parties’ efforts to gather the information necessary to identify and provide notice to the class members.

On May 31, 2024, in accordance with the Court’s deadline, Optum produced its updated claim data—data that is necessary to identify who should receive class notice. Aetna then began a data pull for class contact information for the notice list. However, on June 14, 2024, Optum located an archived source that contains additional updated claim data for two and a half years of the class period. Optum

produced the updated claims data on June 21, 2024. Once the parties have analyzed Optum's updated production, Aetna will finalize and provide Plaintiff with the notice list. At that time, Plaintiff will work with a notice administrator to serve notice on class members for whom Aetna possesses a current address, and to locate updated addresses for class members for whom Aetna does not possess a current address. The parties will continue to cooperate to enable notice to occur as soon as possible, and expect that service of the class notice approved by the Court will begin on or around July 16, 2024.

Respectfully submitted,

Dated: June 21, 2024

/s/ *Larry McDevitt*

Larry McDevitt
David M. Wilkerson
Heather Whitaker Goldstein
THE VAN WINKLE LAW FIRM
11 North Market Street
Asheville, NC 28801
(828) 258-2991
lmcdevitt@vwlawfirm.com

D. Brian Hufford (*pro hac vice*)
Jason S. Cowart (*pro hac vice*)
Nell Z. Peyser (*pro hac vice*)
ZUCKERMAN SPAEDER LLP
485 Madison Avenue, 10th Floor
New York, NY 10022

/s/ *E. Thomison Holman*

E. Thomison Holman
NC Bar No. 19380
HOLMAN LAW, PLLC
56 College Street, Suite 302
Asheville, NC 28801
tom@holmanlawwnc.com
Tel: (828) 252-7381
Fax: (828) 252-5018

Earl B. Austin (*pro hac vice*)
BAKER BOTTS L.L.P.
30 Rockefeller Plaza
New York, NY 10112
earl.austin@bakerbotts.com
(212) 408-2500

(212) 897-3434
(212) 704-4256 (fax)
dbhufford@zuckerman.com

Andrew N. Goldfarb (*pro hac vice*)
ZUCKERMAN SPAEDER LLP
1800 M Street, NW, Suite 1000
Washington, DC 20036
(202) 778-1800
(202) 822-8106 (fax)
agoldfarb@zuckerman.com

*Counsel for Plaintiff Sandra M. Peters,
on behalf of herself and all others
similarly situated*

(212) 408-2501 (fax)

*Counsel for Defendants Aetna Inc. and
Aetna Life Insurance Company*

/s/ Brian D. Boone

Brian D. Boone
NC Bar No. 38910
Michael R. Hoernlein
NC Bar No. 40419
Brandon C.E. Springer
NC Bar No. 54523
ALSTON & BIRD LLP
Vantage South End
1120 South Tryon St #300
Charlotte, NC 28203
Tel: (704) 444-1000
Fax: (704) 444-1111
brian.boone@alston.com
michael.hoernlein@alston.com
brandon.springer@alston.com

*Counsel for Defendant
OptumHealth Care Solutions, Inc.*

CERTIFICATE OF SERVICE

I certify that on June 21, 2024, I filed and served a copy of the Joint Status Report using the CM/ECF system, which will give notice to counsel of record.

/s/ *Andrew N. Goldfarb*